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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/019,614	02/06/1998	ARI KOSKI	460-007777-U	2231
2512	7590	05/10/2006	EXAMINER	
PERMAN & GREEN 425 POST ROAD FAIRFIELD, CT 06824			GRIER, LAURA A	
			ART UNIT	PAPER NUMBER
			2615	

DATE MAILED: 05/10/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/019,614	Applicant(s) KOSKI ET AL.	
	Examiner Laura A. Grier	Art Unit 2615	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 February 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13,31 and 32 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-13,31 and 32 is/are rejected.
- 7) ☒ Claim(s) 31 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Objections

1. Claim 31 is objected to because of the following informalities: claim 31 fails to include the correct punctuation at the end of line 14. Appropriate correction is required.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. **Claims 1-13, 31-32** are rejected under 35 U.S.C. 103(a) as being unpatentable over Piosenka et al., U. S. Patent No. 5926756 in view of Wong et al., U. S. Patent No. 5881103.

Regarding **claims 1, 3, 5, 11, and 13**, Piosenka et al., (herein, Piosenka) discloses method for programming a cellular phone. Piosenka's disclosure comprises a PED, which may be any various programmable electronic device, such as a cellular telephone, pagers, etc., (col. 2, lines 46-49), of which the PED includes an interface (20/26) that comprises a microcontroller (32) that enables data to be received and transmitted between and PC (which may also be a type of personal digital assistant) and a cellular phone (col. 3, lines 10-17, 50-62, col. 4, lines 32-42 and col. 5, Lines 65—67 and col. 6, lines 1-2 figures 1-4); further the data includes volume controls and ring controls indicates audio parameters (col. 6, lines 43-47), which read connecting to at least one auxiliary device, which as well indicates loading audio parameters into processor of the

PC during operation, and providing two communication of the data between the cellular phone (mobile communication device) and the PC (auxiliary device and/or mobile communication device - the PC may also be a PDA) via a serial input/output port associated to the PC and a wire bus associated to the cellular phone. However, Piosenka fails to disclose a digital signal processor and the communication of digital data.

Regarding the digital signal processor and the communication of digital data, Wong et al. (herein, Wong) discloses a digital signal processor (206) and the transfer of digital data between two electronic components (figure 2).

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to modify the invention of Piosenka by incorporating a DSP for the purpose of providing efficient and quality transmission, and adequate processing of the data between electronic devices, such as a PC and cellular phone, via an interface.

Regarding **claim 2**, Piosenka and Wong disclose everything claimed as applied above (see claim 1). Piosenka and Wong (Piosenka) discloses a serial input/output port associated to the PC and a wire bus associated to the cellular phone (col. 4, lines 35-38), which reads on the audio parameters loaded from the auxiliary device via the auxiliary device connection.

Regarding **claim 10 and 12**, respectively, Piosenka and Wong disclose everything claimed as applied above (see claim 1 and 5, respectively). Piosenka and Wong (Piosenka) disclose further the data includes volume controls and ring controls indicate audio parameters (col. 6, lines 43-47).

Regarding **claim 4 and 6**, respectively, Piosenka and Wong disclose everything claimed as applied above (see claim 1 and 5, respectively). Piosenka and Wong (Piosenka) discloses

obviously indicates claimed limitation as evident by the interface logic for hardware for insuring proper voltage and current levels of the bus connection (col. 4, lines 19-31 and 46-48).

Regarding **claim 7 and 8**, Piosenka and Wong disclose everything claimed as applied above (see claim 5). Piosenka and Wong (Piosenka) discloses the PC which is able to transmit and receiver data, which constitutes a transmitter/receiver unit of a mobile station, and Wong discloses a further discloses a transmitter/receiver unit of a mobile station figure 2-reference 110.

Regarding **claim 9**, Piosenka and Wong disclose everything claimed as applied above (see claim 8). Piosenka and Wong (Piosenka) disclose the cellular telephone, which obviously includes a loudspeaker and a microphone as evident of the structure of a cellular phone.

Regarding **claim 31**, Piosenka discloses method for programming a cellular phone. Piosenka's disclosure comprises a PED, which may be any various programmable electronic device, such as a cellular telephone, pagers, etc., (col. 2, lines 46-49), of which the PED includes an interface (20/26) that comprises memory and a microcontroller (32) that enables data to be received and transmitted between and PC and a cellular phone (col. 3, lines 10-17, 50-62, col. 4, lines 32-42 and col. 5, Lines 65—67 and col. 6, lines 1-2 figures 1-4); further the data includes volume controls and ring controls indicates audio parameters (col. 6, lines 43-47), which read connecting to at least one auxiliary device, which as well indicates loading audio parameters into processor of the PC during operation, and providing two communication of the data between the cellular phone (mobile communication device) and the PC (auxiliary device and/or mobile communication device- the PC may also be a PDA) via a serial input/output port associated to

the PC and a wire bus associated to the cellular phone. However, Piosenka fails to disclose a digital signal processor and the communication of digital data.

Regarding the digital signal processor and the communication of digital data, Wong discloses a digital signal processor and the transfer of digital data between two electronic components (figure 2).

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to modify the invention of Piosenka by incorporating a DSP for the purpose of providing efficient and quality transmission, and adequate processing of the data between electronic devices, such as a PC and cellular phone, via an interface.

Regarding **claim 32**, Piosenka discloses method for programming a cellular phone. Piosenka's disclosure comprises a PED, which may be any various programmable electronic device, such as a cellular telephone, pagers, etc., (col. 2, lines 46-49), of which the PED includes an interface (20/26) that comprises memory and a microcontroller (32) that enables data to be received and transmitted between and PC and a cellular phone (col. 3, lines 10-17, 50-62, col. 4, lines 32-42 and col. 5, Lines 65—67 and col. 6, lines 1-2 figures 1-4); further the data includes volume controls and ring controls indicates audio parameters (col. 6, lines 43-47), which read connecting to at least one auxiliary device, which as well indicates loading audio parameters into processor of the PC during operation, and providing two communication of the data between the cellular phone (mobile communication device) and the PC (auxiliary device and/or mobile communication device- the PC may also be a PDA) via a serial input/output port associated to the PC and a wire bus associated to the cellular phone. Piosenka further discloses the PC including software for controlling the programming of the PED (col. 3, lines 6-7and col. 10, lines

30-43), and the microcontroller obviously performance is dependent upon software instructions as evident by the memories. However, Piosenka fails to disclose a digital signal processor and the communication of digital data.

Regarding the digital signal processor and the communication of digital data, Wong discloses a digital signal processor and the transfer of digital data between two electronic components (figure 2).

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to modify the invention of Piosenka by incorporating a DSP for the purpose of providing efficient and quality transmission, and adequate processing of the data between electronic devices, such as a PC and cellular phone, via an interface.

Response to Arguments

4. Applicant's arguments filed 1/19/06 have been fully considered but they are not persuasive.

The applicant initially argues that final rejection was improper. The examiner deems the final rejection proper due the claim language of the claimed invention being narrowed to specifically claim a mobile communication device, and where a new primary reference was introduced to support the mobile communication device. Arguments were directed to the examiner's rejection disclosed the cellular telephone of the primary reference (Piosenka) as the auxiliary device and the PC as the mobile communication device. The devices designated as such in error, and have been corrected to indicate the cellular telephone as the mobile communication device and the PC as the auxiliary device and/or mobile communication device,

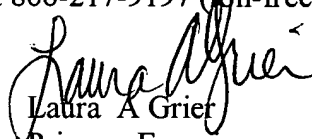
because the PC may also be a type of personal digital assistant. And further in respect to particular argument, the applicant's claim language fails to limit what device can or cannot be considered as an auxiliary device or a mobile communication device. The arguments against the Wong et al. reference are not persuasive merely because the Wong reference was introduced to show that the communication and data interaction between a DSP and an auxiliary device was well known. Piosenka clearly provides support of two-way communication, however just fails to disclose a commonly used device such as a DSP. The claim language of the claimed invention has been interpreted and examined in respect to the broadest interpretation of claim language. Thus, the rejection of Piosenka and Wong is maintained.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Laura A. Grier whose telephone number is (571) 272-7518. The examiner can normally be reached on Monday - Friday, 7:30 am - 4:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vivian Chin can be reached on (571) 272-7848. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Laura A Grier
Primary Examiner
Art Unit 2615

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